

Disabilities Act, 42 U.S.C. §12101 *et seq.* The Nexstar Defendants received service of Plaintiff's Original Petition on or about March 6, 2019. This Notice of Removal is filed with this Court within thirty days of the receipt of Plaintiff's Original Petition as required by 28 U.S.C. § 1446(b)(3).

2. Defendant Catherine Stone has not been served. She was the arbitrator agreed to by the parties in the arbitration proceeding before the American Arbitration Association. She is not a proper party in this case.

3. Pursuant to 28 U.S.C. § 1446(a), Defendants file herein a true and correct copy of all processes, docket sheets, pleadings, and orders served upon the Defendants in the State Court Action.

4. This Court has original jurisdiction pursuant to the provisions of 28 U.S.C. § 1331 because this is a civil action arising under the Constitution and laws of the United States. In his Original Petition, Plaintiff complains of the attached Final Award ("Award") of the Arbitrator finding no liability on his claims under the Family and Medical Leave Act, 29 U.S.C. §2601 *et seq.* and the Americans with Disabilities Act, 42 U.S.C. §12101 *et seq.* Further, Plaintiff's challenge to the Arbitrator's Award is governed by the Federal Arbitration Act, 9 U.S.C. § 9

5. The only Defendants who have been properly served are the Nexstar Defendants and they consent to the removal of this case to federal court. The Arbitrator, Catherine Stone, has not been served.

6. In accordance with 28 U.S.C. § 1446(d), the Nexstar Defendants are promptly filing a copy of this Notice of Removal with the Clerk of District Court of Travis County, Texas.

7. In accordance with 28 U.S.C. § 1446(d), the Nexstar Defendants are also giving written notice to Plaintiff by promptly serving this Notice of Removal upon Plaintiff Pro-Se.

8. Pursuant to 28 U.S.C. § 1441, the Nexstar Defendants seek to remove this case to the United States District Court for the Western District of Texas, Austin Division, which is the District Court located in the federal district and division where the State Court Action is pending.

WHEREFORE, the Nexstar Defendants respectfully request that the above-captioned action now pending in the 345th Judicial District Court of Travis County, Texas be removed to the United States District Court for the Western District of Texas, and that said Court assume jurisdiction of this action and enter such other and further orders as may be necessary to accomplish the requested removal.

Respectfully submitted,

/s/ William L. Davis

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**ATTORNEYS FOR DEFENDANTS KXAN-TV,
NEXSTAR MEDIA GROUP, INC., CHAD
CROSS, AND ERIC LASSBERG**

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing pleading was forwarded to the following Pro-Se Plaintiff via email and certified mail, return receipt requested, on March 25, 2019:

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/s/ William L. Davis
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